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The Stockholm International Arbitration Review reflects the development of the international arbitral process, the enforcement of arbitral awards, and the use of legal norms in the settlement of primarily commercial transnational, disputes. By contributing to the scholarly debate on international arbitration, the Stockholm International Arbitration Review seeks to promote an exchange of ideas that will improve the knowledge and functioning of the international arbitral process.

Emphasis is placed on the publication of extracts of arbitral awards and court decisions with substantive commentary by scholars and practitioners. A comparative approach shall be employed and articles and commentary shall be supported by reason and explanation, accessible also to non-specialists.

Contributions in the Stockholm International Arbitration Review shall be published in the languages currently used in international arbitration.

Цели сборника

Сборник Stockholm International Arbitration Review содержит материалы о развитии международного арбитражного процесса, исполнении арбитражных решений и использовании правовых норм в урегулировании, в первую очередь, международных коммерческих споров. Сборник Stockholm International Arbitration Review, способствуя развитию научной дискуссии о международном арбитраже, направлен на распространение идей, повышающих уровень знаний и совершенствующих функционирование международного арбитражного процесса.

Акцент делается на публикации отрывков арбитражных и судебных решений в сопровождении подробных комментариев ученых и практикующих юристов. Материалы сборника предполагают использование сравнительного метода, статьи и комментарии должны быть аргументированными, содержать развернутые пояснения, доступные для понимания неспециалистов.

Материалы сборника Stockholm International Arbitration Review должны быть составлены на языках, используемых в настоящее время в международных арбитражных разбирательствах.

前言

斯德哥尔摩仲裁报告致力于研究国际仲裁程序的发展,仲裁裁决的强制执行以及如何利用法律规范来解决纠纷,尤其是国际商事纠纷.本报告通过促进对国际仲裁的学术性论争,来努力寻求先进理念,推动国际仲裁理论和实务的发展.

本报告着重摘录了部分仲裁裁决以及法院判决,并附有学者以及法律工作者的专业评论.报告中的文章和评论均采用比较的方法来阐述理由,非专业人士也能清楚明白.

本报告的稿件以国际仲裁通用的语言出版.

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- (i) Whether Article 10 of the Spain/Russia BIT, which creates arbitral jurisdiction over any “dispute between one Party and an investor of the other Party relating to the amount or method of payment of the compensation due under article 6 of this Agreement” includes the jurisdiction to decide on matters other than quantum for established expropriation?
- (ii) Whether Article 5 of the Spain/Russia BIT, which provides most favoured nation guarantees of fair and equitable treatment,

permits the expansion of jurisdiction under Article 10 of the Spain/Russia BIT.

- (iii) Whether certain Claimants qualified as “investors” under Article 1 of the Spain/Russia BIT?
- (iv) Whether American Depository Receipts qualified as “investments” under Article 1 of the Spain/Russia BIT?
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